

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Air Resources Board

Subchapter 1. Administrative Procedures

Article 2. State Board Review of Executive Officer Actions

§ 60021. Scheduling of Board Review; Procedure for Stay.

(a) Upon receipt of a petition for review of an executive officer action, the matter shall be placed on the agenda of the next regularly scheduled board meeting to take place at least ten (10) days following receipt of the petition. A notice shall be promptly mailed to the petitioner and to all parties who participated in any executive officer hearing on the action being reviewed.

(b) The executive officer action shall remain in full force and effect pending state board review unless petition for review demonstrates to the satisfaction of the executive officer that a stay of the action is needed to prevent irreparable injury to the public or an affected member thereof. If, in its initial consideration of a petition for review, the board does not take final action on the petition, or at any other time, the board may, at the request of the petitioner or on its own motion, grant a stay of the executive officer action pending final board action.

(c) The board or the executive officer shall have the power, on a showing of good cause by the petitioner, to continue the hearing on the petition to the next regularly scheduled board meeting following the meeting at which the petition is originally scheduled for hearing.

NOTE: Authority cited: Sections 39600 and 39601, Health and Safety Code. Reference: Section 39515, Health and Safety Code.

REFERENCE